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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/522,900	03/10/2000	Alison A. McCormick	LSB-001	4521

27860 7590 06/17/2005

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VACAVILLE, CA 95688

EXAMINER

BLANCHARD, DAVID J

ART UNIT	PAPER NUMBER
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1642

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20050614

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed 5/2/2005 is an improper request for continued examination (RCE). The submission under 37 CFR 1.114 is improper, where the submission only includes an information disclosure statement (IDS) in reply to a final Office Action. Therefore, the submission is not a bona fide attempt to provide a complete response to the final Office Action and the period for reply will not be tolled.

Applicant's attention is directed to MPEP 706.07(h) section II which states "Thus, an applicant may file a submission under 37 CFR 1.114 containing only an information disclosure statement (37 CFR 1.97 and 1.98) in an application subject to a notice of allowance under 35 U.S.C. 151, but not in an application where the last Office action is a final rejection.

Also, MPEP 706.07(h), section VI which states "For example, if a reply to a final Office action is outstanding and the submission only includes an information disclosure statement (IDS), the submission will not be considered a bona fide attempt to provide a complete reply to the final Office action and the period for reply will not be tolled."

Since the application is not under appeal, the shortened statutory period set forth in the final Office Action mailed 2/2/2005 continues to run from the mailing date of that action (see item no. 23 of the final Office Action mailed 2/2/2005). Any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of the final Office Action.

Respectfully,  
David J. Blanchard  
571-272-0827

JEFFREY SIEW  
SUPERVISOR OF PATENT EXAMINERS  
6/15/05